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APRIL 19, 1996

SECRETARY
FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET
WASHINGTON, DC 20036

Dear Sirs,

DOCKET FILE COPY ORIGINAL

Enclosed is an original and five copies of a Petition for Rule Making for a new FM channel for Bear Creek, Pennsylvania.

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MAY 17 1996

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20036

FCC MAIL ROOM

In the matter of:)
)
 Amendment of Section 73.202 (b))
)
 Table of Allotments) RM-_____
)
 FM Broadcast Stations)
)
 (Bear Creek, Pennsylvania))

PETITION FOR RULE MAKING

In this petition, Victor A. Michael, Jr. is hereby requesting to allot channel 290A (105.9 Mhz) to Bear Creek, Pennsylvania as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 290A (105.9 Mhz) to Bear Creek, Pennsylvania and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 290A to Bear Creek will have.

DISCUSSION

2. Bear Creek is located in Northeast, Pennsylvania. It is also located within Luzerne County, a county of some 328,149 persons. Bear Creek has a population of 250 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 290A to Bear Creek will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Bear Creek is located at Mountain Top, Pennsylvania. Mountain Top is located 11 kilometers from Bear Creek.

It is obvious that from the above spacing that Bear Creek is presently without local FM service.

4. Bear Creek would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 11 Kilometers of Bear Creek. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Bear Creek area of emergency conditions caused by severe weather or other health hazards.

5. Channel 290A can be allotted to Bear Creek and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Bear Creek, Pennsylvania	-----	290A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 290A and the pertinent adjacent channels to 290 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N. 41-08'-35" W. 75-41'-37") are that of a site located some 6.6 kilometers southeast of the community of Bear Creek. While a site restriction of 6.6 kilometers southeast of Bear Creek will be required to allot channel 290A to Bear Creek. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Bear Creek. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Bear Creek would benefit from the allotment of channel 290A. It has also been shown that channel 290A can be allotted to Bear Creek and meet all rules regarding spacing from other stations. Considering these two facts, I, Victor A. Michael, Jr., hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 290A for Bear Creek, Pennsylvania, 73.202.

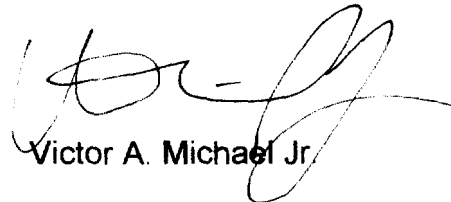
8. Should channel 290A be allotted to Bear Creek, Pennsylvania, I certify that I will file an application for a Construction Permit to operate an FM station for Bear Creek, Pennsylvania.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: April 19, 1996

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor A. Michael Jr.", written over the printed name.

Victor A. Michael Jr.

7901 Stoneridge Drive
Cheyenne, Wyoming 82001

(307) 632-7162

MAPFM search of channel 290A6 (105.9 MHz), at N. 41 8 35, W. 75 41 37.

Searching Channel 290A6 (105.9 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Bethlehem	PA	236	B	U	67.1	15.0	149.9°	52.1
WZZO	Bethlehem	PA	236	B	L	67.1	15.0	149.9°	52.1
ALC	Shamokin	PA	237	A	U	82.9	10.0	239.1°	72.9
ALC	Honesdale	PA	237	A	U	63.6	10.0	41.3°	53.6
WDNHFM	Honesdale	PA	237	A	L	63.6	10.0	41.3°	53.6
WISLFM	Shamokin	PA	237	A	L	82.9	10.0	239.1°	72.9
ALC	Hawley	PA	287	A	U	59.5	31.0	46.9°	28.5
ALC	Philadelphia	PA	287	B	U	128.2	69.0	162.6°	59.2
WDASFM	Philadelphia	PA	287	B	L	128.2	69.0	162.6°	59.2
WYCY	Hawley	PA	287	A	L	64.8	31.0	41.7°	33.8
ALC	Dover	NJ	288	A	U	104.5	31.0	107.8°	73.5
WDHAFM	Dover	NJ	288	A	L	104.5	31.0	107.8°	73.5
WDHAFM	Dover	NJ	288	A	C	104.5	31.0	107.8°	73.5
ALC	Tamaqua	PA	288	A	U	48.8	31.0	215.9°	17.8
WMGHFM	Tamaqua	PA	288	A	A	48.8	31.0	215.9°	17.8
WMGHFM	Tamaqua	PA	288	A	L	48.8	31.0	215.9°	17.8
ALC	Endicott	NY	289	B	U	113.5	113.0	347.0°	0.5
WMRVFM	Endicott	NY	289	B	L	113.5	113.0	347.0°	0.5
ALC	York	PA	289	B	U	152.8	113.0	213.7°	39.8
NEW-T	Bethlehem	PA	289	D	A	59.3	0.0	156.7°	59.3
W289AF	Wilkes-Barre	PA	289	D	C	26.5	0.0	299.9°	26.5
WQXAFM	York	PA	289	B	L	152.8	113.0	213.7°	39.8
ALC	Hartford	CT	290	B	U	242.9	178.0	78.9°	64.9
WHCN	Hartford	CT	290	B	L	242.9	178.0	78.9°	64.9
ALC	Newark	NJ	290	B1	U	135.9	143.0	109.4°	-7.1
WNWK	Newark	NJ	290	B1	L	151.0	143.0	106.8°	8.0
WNWK	Newark	NJ	290	B1	C	150.3	143.0	107.0°	7.3
W290AB	Scranton	PA	290	D	L	29.0	0.0	0.5°	29.0
W290AC	Palmerton	PA	290	D	L	40.3	0.0	174.2°	40.3
ALC	Corning	NY	291	B	U	159.2	113.0	315.3°	46.2
ALC	Jeffersonville	NY	291	A	U	95.1	72.0	41.9°	23.1
WNKI	Corning	NY	291	B	L	159.2	113.0	315.3°	46.2
WPDA	Jeffersonville	NY	291	A	L	107.9	72.0	46.2°	35.9
ALC	Philadelphia	PA	291	B	U	125.5	113.0	159.8°	12.5
ALC	Beaver Springs	PA	291	A	U	138.1	72.0	249.2°	66.1
NEW	Beaver Springs	PA	291	A	A	138.3	72.0	249.1°	66.3
WJJZ	Philadelphia	PA	291	B	L	125.5	113.0	159.8°	12.5
WWBV	Beaver Springs	PA	291	A	L	137.1	72.0	249.0°	65.1
ALC	Blairstown	NJ	292	A	U	61.5	31.0	99.9°	30.5
WHCY	Blairstown	NJ	292	A	L	61.5	31.0	99.9°	30.5
ALC	Bloomsburg	PA	293	B	U	69.5	69.0	256.3°	0.5
WHLM	Bloomsburg	PA	293	B	L	69.5	69.0	256.3°	0.5

FIGURE 1
Petition For Rule Making
Bear Creek, Pennsylvania
Channel Study

